IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 23754 of 2007(C)

PETITIONER:

ANNAPOORNESWARI DEVI TEMPLE
TANIKKAL DEVASWAM, KUTTAMPEROOR,
MANNAR. REPRESENTED BY SECRETARY,
SRI. N.RAJASEKHARAN.

BY ADV. SRI.SANTHAN V.NAIR
SRI.A.ANISH BAL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY,
GOVT. OF KERALA, SECRETARIATE,
THIRUVANANTHAPURAM.

2. ADDITIONAL DISTRICT MAGISTRATE,
COLLECTRATE, ALAPPUZHA.

3. ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KSED,
KOLLKADAVU, ALAPPUZHA DIST.

4. SMT. VIJAYAMMA,
CHEMPILETHU VEEDU, KUTTAMPEROOR,
MANNAR, ALAPPUZHA DIST.

R3 BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.23754 of 2007

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Dated this the 14th day of September, 2007.

JUDGMENT

The petitioner is a devaswom which is given some paddy land by a devotee. Petitioner's objection is against the drawal and retention of an electric line over the said property for giving connection to one lady by name Vijayamma. Standing Counsel for KSEB has produced a sketch in court which shows that connection is given over the property claimed by the petitioner through a weatherproof cable. In the normal course a weatherproof cable being an insulated benign one would not cause any hindrance to the enjoyment of the property. However, if the weatherproof cable causes any hindrance or difficulty for the proper enjoyment of the property by the devaswom, I feel KSEB should retain the connection through an underground cable by converting the present weatherproof cable at the cost of the petitioner. Either the petitioner will supply the materials or KSEB will give the estimate for the petitioner to deposit the amount to change the line from weatherproof cable to underground cable. The order of the ADM stands modified as above.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms